

ENTERED

April 28, 2022

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ROBYN BRANCH-	§ CIVIL ACTION NO.
COOPER,	§ 4:22-cv-00078
Plaintiff,	§ § §
vs.	§ JUDGE CHARLES ESKRIDGE § §
BSI FINANCIAL	§
SERVICES INC,	§
Defendant.	§

ORDER

Pending is an unopposed motion for Jason A. LeBoeuf to withdraw as counsel of record for Plaintiff Robyn Branch-Cooper. Dkt 16.

Counsel may not freely withdraw from representation, but instead must obtain leave of court. *Matter of Wynn*, 889 F2d 644, 646 (5th Cir 1989). A court must determine that the prosecution of the lawsuit won't be "disrupted by the withdrawal of counsel, and that the withdrawal of counsel is for good cause." *Broughten v Voss*, 634 F2d 880, 882–83 (5th Cir 1981). Counsel must also provide reasonable notice to the client. *Matter of Wynn*, 889 F2d at 646. Whether leave is granted rests within the sound discretion of the district court. *Ibid*.

LeBoeuf asserts, "Plaintiff has not paid any of the earned fees, expenses of Counsel, or court costs advanced by Counsel at any point." Dkt 16 at 1. This is insufficient reason for a plaintiff's attorney to abandon a client and a cause after invoking the jurisdiction of a federal court. Plainly, such withdrawal would inevitably delay and disrupt forward progress, especially considering the

pending motion by Defendant BSI Financial Services Inc for summary judgment. Dkt 15.

Simply put, LeBoeuf initiated this litigation as counsel to Branch-Cooper and will bear responsibility for its prosecution—or its termination—until replacement counsel is identified. Any problems with this client or this litigation won't be so lightly shifted to this Court and opposing counsel.

The motion for Jason A. LeBoeuf to withdraw as attorney for Plaintiff Robyn Branch-Cooper is DENIED. Dkt 16.

Counsel for Branch-Cooper must respond to the pending motion for summary judgment or seek in good faith any other available relief.

SO ORDERED.

Signed on April 28, 2022, at Houston, Texas.


Hon. Charles Eskridge
United States District Judge